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1648

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Total Number of Pages in This Submission

4

Application Number 10/006,881

Filing Date December 10, 2001

First Named Inventor Reiter, et al.

Art Unit 1648

Examiner Name Stacy S. Brown

Attorney Docket Number 20695C-002300US

ENCLOSURES (Check all that apply) Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s)
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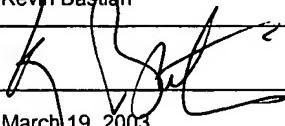
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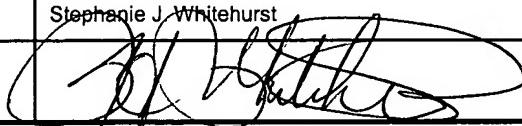
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Kevin Basdan	Reg. No. 34,774
Signature		
Date	March 19, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

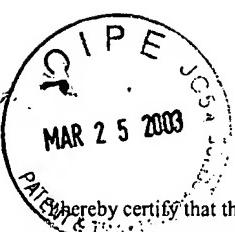
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Typed or printed	Stephanie J. Whitehurst
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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TOWNSEND and TOWNSEND and CRAWFORD LLP

By: Stephanie J. Whitehurst

PATENT
Attorney Docket No.: 20695C-002300US
Client Ref. No.: V-260-00

#6
Election
4.1.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

REITER, *et al.*

Application No.: 10/006,881

Filed: December 10, 2001

For: METHOD FOR LARGE SCALE
PRODUCTION OF VIRUS ANTIGEN

Examiner: Stacy S. Brown

Art Unit: 1648

RESPONSE TO RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office action mailed February 19, 2003, Applicants elect, with traverse, to prosecute species claims to Influenza. The claims all read on the elected species except for claims 37 and 38.

The invention provides a method for rapid, efficient production of viral antigens wherein the method requires a minimum of time consuming manipulations. Thus, there is a disclosed relationship between the species of the invention. Therefore, the Examiner must discuss the reasons leading to the conclusion that the disclosed relation does not prevent restriction (MPEP 808.01(a)). Applicants respectfully submit that the Examiner has failed to provide any such reasoning or evidence. In the absence of such a showing, Applicants respectfully request that the Examiner withdraw the Restriction Requirement and consider all the alleged viral species together.

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Application No.: 10/006,881
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Kevin Bastian
Reg. No.: 34,774

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